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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

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9  
10 UNITED STATES OF AMERICA, ) **2:15-CR-245-JCM-NJK**  
11 )  
12 Plaintiff, )  
13 v. )  
14 JORGE MONTESINOS-CAMPOS, )  
15 Defendant. )  
16 \_\_\_\_\_)

17 **STIPULATION FOR EXTENSION OF TIME**

18 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,  
United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for  
the United States of America, and Paul D. Riddle, Assistant Federal Public Defender, counsel for  
Defendant JORGE MONTESINOS-CAMPOS, that the date for the Government to file a  
response to the Defendant's Motion to Suppress (Docket #27) be extended until March 14, 2016.

23 This stipulation is entered for the following reasons:

25 1. On February 3, 2016, the Defendant filed a Motion to Suppress. See Docket #27.

26 The Government's response deadline is March 2, 2016.

27 2. The Government has extended an offer to resolve this case, which would obviate  
28 the need for the Government to respond to the Defendant's Motion. Counsel for the Defendant  
needs time to present the offer to the Defendant.

3. The Defendant is incarcerated, but he does not object to the continuance of the Government's response deadline.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow the parties an opportunity to resolve this case, which would obviate the need for further litigation.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. This is the second stipulation filed herein to continue the Government's response deadline.

DATED: March 2, 2016.

/s/  
PHILLIP N. SMITH, JR.  
Assistant United States Attorney  
Counsel for the United States

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/s/  
PAUL D. RIDDLE.  
Assistant Federal Public Defender  
Counsel for Defendant JORGE MONTESINOS

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. )  
JORGE MONTESINOS-CAMPOS, )  
Defendant. )

## **FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On February 3, 2016, the Defendant filed a Motion to Suppress. See Docket #27. The Government's response deadline is March 2, 2016.

2. The Government has extended an offer to resolve this case, which would obviate the need for the Government to respond to the Defendant's Motion. Counsel for the Defendant needs time to present the offer to the Defendant.

3. The Defendant is incarcerated, but he does not object to the continuance of the Government's response deadline.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow the parties an opportunity to resolve this case, which would obviate the need for further litigation.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. This is the second stipulation filed herein to continue the Government's response deadline.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the motion response deadline.

## **CONCLUSIONS OF LAW**

The additional time requested herein is not sought for purposes of delay, but merely to allow the parties an opportunity to resolve this case, which would obviate the need for further litigation. The failure to grant said continuance would likely result in a miscarriage of justice.

## **ORDER**

IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the Government to respond to the Defendant's Motion to Suppress (Docket #27) is extended until March 14, 2016.

**UNITED STATES MAGISTRATE JUDGE**